

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**SHELLY J. DAVINE, JAMES E. WILLIAMS,
JACOB E. OGDEN, BETH A. FARRAR, and
PHILIP CARDINALE on behalf of themselves
and all others similarly situated,**

Plaintiffs,

v.

**THE GOLUB CORPORATION, THE PRICE
CHOPPER, INC., and PRICE CHOPPER
OPERATING CO. OF MASSACHUSETTS,
INC.,**

Defendants.

**Civil Action No.: 3:14-cv-
30136-MGM**

NOTICE OF MOTION FOR FINAL APPROVAL OF SETTLEMENT

For the reasons set forth in the Memorandum of Law in Support of the Motion for Final Approval, Service Awards, and Attorneys' Fees and Costs, and in the Declarations of Justin M. Swartz and Kevin M. Kinne and the supporting exhibits attached thereto, the Parties respectfully request that the Court enter an Order:

- (1) finally certifying the Classes as defined in the Joint Stipulation of Settlement and Release (the "Agreement"), attached as Exhibit A to the Swartz Declaration;
- (2) granting final approval of the Agreement; and
- (3) granting any other relief that the Court deems just and proper.

* * *

The Parties submit a Proposed Order, attached hereto as **Exhibit A**, for the Court's convenience.

Dated: January 3, 2018
New York, New York

Respectfully submitted,

OUTTEN & GOLDEN LLP

/s/ Justin M. Swartz

Justin M. Swartz

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Attorneys for Plaintiffs

CERTIFICATION OF SERVICE

I hereby certify that on **January 3, 2018** a copy of the foregoing documents were filed electronically and service made by certified mail to anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by certified mail for anyone unable to accept electronic filing. Parties may access this filing through the Court's system.

/s/ Justin M. Swartz

Justin M. Swartz (admitted *pro hac vice*)